

Message Text

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PAGE 01 STATE 196449
ORIGIN EB-08

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DRAFTED BY EB/OA:MHSTYLES;VLV
APPROVED BY EB/OA:MHSTYLES
EUR/WE - VBROD
-----085815 032235Z /21
O 032150Z AUG 78
FM SECSTATE WASHDC
TO AMEMBASSY ROME IMMEDIATE

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E.O. 11652: N/A

TAGS: EAIR, IT

SUBJECT: CIVAIR - GOI THREAT TO PAN AM FLIGHTS BEYOND ROME

REF: ROME 14267

1. BASIC RATIONALE FOR US POSITION IS THAT 1970 MEMORANDUM OF UNDERSTANDING SIMPLY STATES THAT CAPACITY WILL BE NO GREATER THAN THAT IN THE CORRESPONDING PREVIOUS SEASON BUT IS SILENT ON HOW SUCH A FREEZE IS TO BE IMPLEMENTED. IN SUCH CIRCUMSTANCES, AND PARTICULARLY IN LIGHT OF PROVISION IN AGREEMENT (PARA E OF ARTICLE 9) THAT NEITHER PARTY WILL TAKE UNILATERAL ACTION WITH RESPECT TO CAPACITY, IT IS US VIEW THAT MOU OBLIGATIONS MAY BE IMPLEMENTED BY THE GOVERNMENT OF THE AIRLINE CONCERNED IN ANY MANNER IT DEEMS REASONABLE AND THAT THE OBJECTING SIDE (IN THIS CASE ITALY) MAY NOT UNILATERALLY IMPOSE AN IMPLEMENTATION SCHEME.

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2. AT THIS POINT, HOWEVER, WE DO NOT REGARD THAT ISSUE IS BASED ON LEGAL TECHNICALITIES BUT ARISES FROM ITALIAN THREAT TO PREVENT TAKEOFF PAN AM AIRCRAFT AND TO CAUSE SEVERE INCONVENIENCE TO ALREADY BOOKED PASSENGERS. IF IN FACT CIVILAVIA PREVENTS DEPARTURE OF AIRCRAFT OR INTERFERES WITH ALREADY BOOKED PASSENGERS, USG WOULD HAVE TO REGARD THIS AS AN UNFORTUNATE ACTION WITH POSSIBLE UNFORESEEN

CONSEQUENCES. IN ANY FURTHER APPROACHES TO ITALIAN
AUTHORITIES WE SUGGEST EMBASSY TAKE THIS BASIC LINE.

3. WHILE WE ARE PREPARED TO APPROACH ITALIAN EMBASSY IF
PAN AM FLIGHTS ARE PREVENTED FROM DEPARTING, WE BELIEVE
THE BASIC REPRESENTATIONS ON THIS MATTER SHOULD CONTINUE
TO BE MADE IN ROME. EMBASSY BEST ABLE JUDGE HOW TO HANDLE
SITUATION, BUT DEPARTMENT WOULD NOT CONSIDER IT INAPPRO-
PRIATE AT THIS STAGE FOR EMBASSY TO MAKE STRONG REPRESENTA-
TIONS AT SENIOR LEVELS IN GOI. VANCE

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